

December 28, 1998

Mike O'Sullivan
Manager, Merchandising Systems
ANHEUSER-BUSCH, INC.
One Busch Place
St. Louis, MO 63118-1852

RE: Busch 'Racing' Take One Poster

Dear Mr. O'Sullivan:

ISSUE: This is in response to your facsimile of December 21, 1998 to this office in which you request approval of certain point-of-sale items as described in the enclosed correspondence.

OPINION: This office has reviewed the proposed point-of-sale materials and determined that they comport with applicable liquor laws and regulations, specifically section 493(20)(i) of the Liquor Code. [47 P.S. Section 493(20)(i)]. Therefore, it is permissible to utilize these point-of-sale items in conjunction with the above-referenced promotion at:

- retail licensed premises.
- distributor licensed premises.
- both retail and distributor licensed premises.
- wine & spirit shoppes, subject to approval of Bureau of Logistics.
- other.

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THIS OPINION APPLIES ONLY TO THE FACTUAL SITUATION DESCRIBED HEREIN AND DOES NOT INSULATE THE LICENSEE OR OTHERS FROM CONSEQUENCES OF CONDUCT OCCURRING PRIOR TO ITS ISSUANCE. THE PROPRIETY OF THE PROPOSED CONDUCT HAS BEEN ADDRESSED ONLY UNDER THE LIQUOR CODE AND REGULATIONS. THE LAWS AND POLICIES ON WHICH THIS OPINION IS BASED ARE SUBJECT TO CHANGE BY THE LEGISLATURE OR THE PENNSYLVANIA LIQUOR CONTROL BOARD.

Very truly yours,

FAITH S. DIEHL
CHIEF COUNSEL

cc: Bureau of Liquor Control Enforcement,
Pennsylvania State Police

Refer to: (717) 783-9454

Fax: (717) 787-8820

Advisory Opinion No. 98-421